



Patent
Attorney Docket No.: 11016US05/100-236.P2.C2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:

Lewis H. Lambert

Serial No.: 09/696,709

Filed: October 24, 2000

For: IMPROVED THERAPEUTIC
COMPOSITIONS COMPRISING
BACTERICIDAL/PERMEABILITY-
INCREASING (BPI) PROTEIN
PRODUCTS

Examiner: Sheridan K. Snedden

Group Art Unit: 1653

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**AMENDMENT AND RESPONSE TO
OFFICE ACTION MAILED AUGUST 13, 2003**

Mail Stop
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is in response to the Office Action mailed August 13, 2003 in the above-identified application. Claims 1, 3, 9 and 11 were rejected under the judicially created doctrine of obviousness-type double patenting and 35 U.S.C. §102(a), and claims 2 and 4 were allowed. This response is timely filed, as the Office Action allowed three months for response, and a Petition for a Three-Month Extension of Time is submitted with this Amendment. Reconsideration and withdrawal of the rejections are respectfully requested in light of the following amendment and remarks as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 3 of this paper.